

OCT 18 2005

PTO/SB/3D (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/551,238
	Filing date	April 17, 2000
	First Named Inventor	Michael Henry
	Art Unit	3628
	Examiner Name	Frantzy Poinvil
	Attorney Docket Number	60021-369201

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on June 20, 2005.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- b. ☐ Enclosed
- i. ☐ Amendment(s)/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_ and Returned Postcard.

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**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(d) required)
- b. ☐ Other \_\_\_\_\_.

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1901.
- i. ☒ RCE fee required under 37 CFR 1.17(e). (\$790.00) 10/19/2005 CNGUYEN 00000030 501901 09551238
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17). 01 FC:1801 790.00 DA
- iii. ☐ Other \_\_\_\_\_.
- b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Steven C. Lieske	Registration No.	47,749
Signature	<i>Steven C. Lieske</i>	Date:	October 18, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Chris Barnard	Date:	October 18, 2005
Signature	<i>Chris Barnard</i>		

**OPPENHEIMER**

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**FAX COVER LETTER**

October 18, 2005

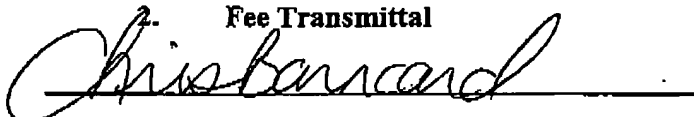
**TO:** Mail Stop RCE  
Commissioner for Patents  
**COMPANY:** U.S. Patent and Trademark Office  
**PHONE:** 703.308.9723  
**FAX:** 571.273.8300  
**FROM:** Steven C. Lieske  
**DIRECT DIAL:** 612.607.7508  
**EMAIL:** SLieske@Oppenheimer.com  
**RE:** Request for Continued Examination - Serial No. 09/551,238

Docket Number - 60021-369201/US

**COMMENTS:** I certify that the following correspondence is being transmitted by facsimile to Mail Stop RCE, Commissioner for Patents, at the U.S. Patent and Trademark Office on October 18, 2005.

1. Request for Continued Examination - Serial No. 09/551,238

Fee Transmittal



Chris Barncard

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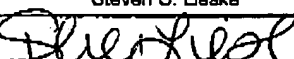
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Completed by: Chris Barncard/7268 You should receive 3 page(s) including this page.  
If the transmission is incomplete, please call 612.607.7276 as soon as possible.

OCT 18 2005

<b>FEE TRANSMITTAL</b>		<i>Complete if Known</i>	
<b>for FY 2005</b>		Application Number	09/551,238
		Filing Date	April 17, 2000
		First Named Inventor	Michael Henry
		Examiner Name	Frantzy Poirvil
		Group Art Unit	3628
Patent fees are subject to annual revision. <input type="checkbox"/> Applicant Claims Small Entity		Attorney Docket No.:	60021-369210/US
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>\$790.00</b>	

<b>METHOD OF PAYMENT</b>				<b>FEE CALCULATION (continued)</b>			
1. <input checked="" type="checkbox"/> Authorized to charge indicated fees or credit				4. <b>ADDITIONAL FEES</b>			
Deposit Acct No.	50-1901			Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
Name:	Oppenheimer Wolff & Donnelly LLP			1051 130	2051 65	Surcharge - late filing fee or oath	
X Charge Any Add'l Fee Required Under 37 CFR 1.16 and 1.17				1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2. <input type="checkbox"/> Payment Enclosed: Check <input type="checkbox"/> Credit				1053 130	1053 130	Non-English specification	
<b>FEE CALCULATION</b>				1812 2,520	1812 2,520	Filing a request for <i>ex parte</i> reexamination	
1. <b>BASIC FILING FEE</b>				1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
Large Fee	Small Fee	Fee description	Fee Paid	1805 1,840*	1805 1840*	Requesting publication of SIR after Examiner action	
1000*	500*	Utility filing fee		1251 120	2251 60	Extension for reply within first month	
430*	215*	Design filing fee		1252 450	2252 225	Extension for reply within second month	
660*	330*	Plant filing fee		1253 1020	2253 510	Extension for reply within third month	
1400*	700*	Reissue filing fee		1254 1,580	2254 795	Extension for reply within fourth month	
200	100	Provisional filing fee		1255 2,160	2255 1,080	Extension for reply within fifth month	
<b>SUBTOTAL (1)</b>			<b>\$0.00</b>	1401 500	2401 250	Notice of Appeal	
2. <b>EXTRA CLAIM FEES</b>				1402 500	2402 250	Filing a brief in support of an appeal	
Extra Claims		Fee	Fee Paid	1403 1,000	2403 500	Request for oral hearing	
Claims - 20 =		50/25		1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
Ind. - 3 =		200/100		1452 500	2452 250	Petition to revive - unavoidable	
Claims Multiple Dependent		360/160		1453 1,500	2453 750	Petition to revive - unintentional	
Large Entity Fee	Small Entity Fee	Fee Description		1501 1,400	2501 700	Utility issue fee (or reissue)	
50	25	Claims in excess of 20		1502 800	2502 400	Design issue fee	
200	100	Independent claims in excess of 3		1503 1,100	2503 550	Plant issue fee	
360	180	Multiple dependent claim		1460 130	1460 130	Petitions to the Commissioner	
200	100	** Reissue Independent claims over original patent		1807 130	1807 130	Processing fee under 37 CFR 1.17(q)	
50	25	** Reissue claims in excess of 20 and over original patent		1806 160	1806 160	Submission of Information Disclosure Stmt	
<b>SUBTOTAL (2)</b>			<b>\$0.00</b>	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
3. <b>Application Size Fee (Utility)</b>				1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
If the specification and drawings exceed 100 sheets of paper, the application fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)				1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
<b>SUBTOTAL (3)</b>			<b>\$0.00</b>	1801 790	2801 395	Request for Continued Examination (RCE)	\$790.00
				1802 900	1802 900	Request for expedited examination of a design application	
				Other fee (specify)			
				<b>SUBTOTAL (4)</b>			<b>\$790.00</b>

<b>SUBMITTED BY</b>		<i>Complete (if applicable)</i>	
Name	Steven C. Liaska	Registration No.:	47,749
Signature		Telephone:	612-607-7508
		Date:	10/18/05

\*Includes: Filing fee + Examination fee + Search fee